

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:08 CR 38**

UNITED STATES OF AMERICA,)	
)	
Vs.)	ORDER
)	
FNU LNU, a/k/a Derrick Wong,)	
)	
Defendant.)	
_____)	

THIS CAUSE coming on to be heard and being heard before the undersigned, pursuant to a motion filed by defendant’s counsel entitled “Motion for Hearing as to Pretrial Release of Defendant” (#8). At the close of the hearing of this matter, defendant’s counsel advised the court that an official of the Immigration and Naturalization Service had advised defense counsel that the immigration service would agree to remove a detainer that had been filed in regard to the defendant should the court determine to release the defendant on terms and conditions of pretrial release. The court then made inquiry of the defendant as to whether or not the defendant wished for the court to enter an order, pursuant to 18 U.S.C. § 3142(d), ordering that the defendant be detained for a period of not more than ten (10) days to provide the office of Immigration and Naturalization Service an opportunity to take the defendant into custody or if the defendant wished to agree to a postponement of

further hearings in this matter as suggested by Don Gast, the Assistant United States Attorney so that the defendant could obtain the testimony of the official of the Immigration and Naturalization Service concerning the detainer and further give that official an opportunity to remove the detainer. After consultation, defense counsel advised the court that it was the desire of the defendant that the court continue further hearings in this matter until January 5, 2009 to give counsel an opportunity to obtain the testimony of the official of the Immigration and Naturalization Service and possible removal of the detainer in this matter.

ORDER

IT IS, THEREFORE, **ORDERED** that further hearings in this matter be **CONTINUED** until January 5, 2009.

Signed: January 5, 2009

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Dennis L. Howell
United States Magistrate Judge

